



General Assembly

Substitute Bill No. 456

February Session, 2002

AN ACT CONCERNING EMPLOYMENT PROTECTION FOR CRIME VICTIMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-85b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) An employer shall not deprive an employee of [his]
4 employment, penalize or threaten or otherwise coerce [him] an
5 employee with respect thereto, because (1) the employee obeys a legal
6 subpoena to appear before any court of this state as a witness in any
7 criminal proceeding, (2) the employee attends a court proceeding or
8 participates in a police investigation related to a criminal case in which
9 the employee is a crime victim, or (3) a restraining order has been
10 issued on the employee's behalf pursuant to section 46b-15, as
11 amended. For purposes of this section, "crime victim" means an
12 employee who suffers direct or threatened physical, emotional or
13 financial harm as a result of a crime or an employee who is an
14 immediate family member or guardian of (A) a person who suffers
15 such harm and is a minor, physically disabled, as defined in section
16 46a-51, as amended, or incompetent, or (B) a homicide victim.

17 (b) Any employer who violates subdivision (1) of subsection (a) of
18 this section shall be guilty of criminal contempt and shall be fined not
19 more than five hundred dollars or imprisoned not more than thirty

20 days or both.

21 [(b)] (c) If an employer discharges, penalizes or threatens or
22 otherwise coerces an employee in violation of subsection (a) of this
23 section, the employee, [within] not later than ninety days from the
24 occurrence of such action, may bring a civil action for damages and for
25 an order requiring [his] the employee's reinstatement or otherwise
26 rescinding such action. If the employee prevails, [he] the employee
27 shall be allowed a reasonable attorney's fee to be fixed by the court.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

LAB *Joint Favorable Subst. C/R*

JUD